

March 25, 1976

medical profession certainly ~~never intended that~~ anyone who had a claim would not be paid and for that reason we placed the initial surcharge at fifty per cent whereas in Indiana the surcharge is only ten per cent. It is our feeling that this portion of the bill, I hope, will never be called upon to be used and I don't think it will be. But in the event that something would happen that the fund should run low, this provision will guarantee payment and it will guarantee payment to the claimant within thirty days rather than to prorate the claims forward to a succeeding year. I feel that the amendment, if it makes Senator Dworak feel better, if it makes the Insurance Department feel better, it's fine with me. I want to point out one more thing, the Insurance Department did not offer a single amendment to this bill when they testified at the public hearing. The amendments that they have offered to me, I have accepted everyone of them. This amendment is in response to Senator Dworak's concern and a legitimate one about the adequacy of the fund, first of all. Secondly, about the promptness with which persons would be paid in the event the fund were depleted. I agree with the amendment. I agree with both portions of the amendment. I urge their speedy adoption and I hope for the readvancement of the bill.

CLERK: Mr. President, may I inquire of Senator Dworak, on page 2 of your amendment you have three paragraphs of comment. I don't see how those can apply to the amendment. Is that correct? That is not part of the amendment you want adopted?

SENATOR DWORAK: Senator Schmit will have to explain page 2. That was his amendment. To expedite, we put the two amendments together.

CLERK: All right. Senator Schmit, is the paragraphs identified as comment part of your amendment or is that to be deleted from the amendment?

SENATOR SCHMIT: The comment should be deleted.

PRESIDENT: Any closing, Senator Dworak?

SENATOR DWORAK: In closing, the question was asked me privately back here and it should be stated that the special surcharge is not a per capita surcharge but it's based on a percentage of what everybody's premium has paid and this was an objection to the third amendment I offered the other night and now it's a proper percentage and it should be adequate.

PRESIDENT: The question is, shall the bill be returned? Record.

CLERK: 25 ayes, no ayes on the motion to return.

PRESIDENT: The bill is returned, Senator Dworak.

SENATOR DWORAK: I move the adoption of the amendment.

PRESIDENT: Record your vote. Record.